

Immigrant Visa FAQ's

Diversity Immigrant Visa Program

What is the lottery?

The Diversity Immigrant Visa Program, commonly known as the lottery, makes available each year by random selection 50,000 permanent residence visas to persons from countries that have low rates of immigration to the United States. Eligibility to apply for this Program is determined by a person's place of birth not citizenship or residence. The list of excluded countries may vary from year to year.

What do you mean by "excluded countries"?

These are countries that have sent more than 50,000 immigrants to the United States during the five years immediately preceding the registration period.

How do I apply for the Diversity Immigrant Visa Program?

Each year in late Fall/Winter there is a registration period during which qualified applicants may apply to register for the Program. Entries are selected at random by computer, regardless of the date and time of receipt during that period. Successful applicants are invited to apply for an immigrant visa and will be required to establish their eligibility for a visa under current laws and regulations.

When is the next registration period for the Diversity Immigrant Visa Program?

The registration period for the next Diversity Immigrant Visa Program will be announced around autumn.

If I was born in one of the excluded countries, can I still apply for the Diversity Immigrant Visa Program?

If you are married, you may be eligible to claim your spouse's place of birth if he/she was born in one of the qualifying countries. **Note:** In order to benefit from this provision, you must both be issued visas and enter the United States together.

Can both my spouse and I submit applications for the Diversity Immigrant Visa Program?

Yes. A husband and wife may each submit a separate application listing their spouse as the dependent.

Must each applicant submit his/her own entry for the Diversity Immigrant Visa Program, or may someone act on behalf of the applicant?

Applicants may prepare and submit their own entries, or have someone submit the entry for them. Only one entry may be submitted in the name of the person. A

husband and wife may each submit a separate application listing their spouse and children as dependents.

What family members must I include on my entry for the Diversity Immigrant Visa Program?

You must list your spouse, even if you are currently separated from him/her and he/she does not intend immigrating with you. If you are legally divorced, you do not need to list your former spouse. For customary marriages, the important date is the date of the original marriage ceremony, not the date on which the marriage is registered.

You must list all unmarried children under the age of 21 whether they are your natural children, your spouse's children by a previous marriage, or children you have formally adopted in accordance with the laws of your country. You must also list them even if they are no longer living with you or do not intend to immigrate with you. You are not required to list children who are U.S. citizens or Legal Permanent Residents.

If I list my spouse and children, does this mean they must immigrate with me?

No. Including your spouse and/or children on your application does not mean that they must immigrate with you. However, if you do not include your spouse and/or children on your application to register and include them on your application for an immigrant visa, your application will be disqualified. This requirement only applies if your spouse and/or children were dependents at the time you submit your application to register for the lottery; it does not apply if your spouse and/or children were acquired after your application was submitted.

It is important to note, however, that if you are born in an excluded country and your spouse is not, and you are using your spouse's place of birth to apply to register for the program, you and your spouse will be required to immigrate to the U.S. together, if your application is successful.

Are photographs required for each family member applying for the Diversity Immigrant Visa Program, or only for the principal applicant?

Recent and individual photographs of the principal applicant, his or her spouse, and all natural children as well as legally adopted and stepchildren who are under 21 and unmarried are required, even if the children no longer reside with the applicant.

Note: Group family photographs are not acceptable.

What are the requirements for education or work experience for the Diversity Immigrant Visa Program?

Education: An applicant is required to have a high school education or equivalent. This is defined as successful completion of a twelve-year course of elementary and

secondary education in the United States, or if outside the United States, successful completion of a formal course of elementary and secondary education comparable to a high school education in the United States.

Work Experience: An applicant is required to have two years of work experience in the last five years in an occupation requiring at least two years training or experience. The determination on whether or not the applicant has the requisite work experience will be based on the Department of Labor's O*Net OnLine data base.

How can I find out if my educational qualifications/ work experience meets the criteria for the Diversity Immigrant Visa Program?

The Consulate is unable to answer individual questions regarding the educational or work experience requirement until after the winners have been selected and appear for their immigrant visa interviews. If you require information on work experience, you may wish to visit the Department of Labor's O*Net OnLine data base. If you believe that you have the basic educational qualifications or meet the work experience requirement, then you should submit an application.

Are there any fees involved in applying for the Diversity Immigrant Visa Program?

You are not required to pay a fee to submit an application to register for the Program. However, if your application is successful and you selected to apply for an immigrant visa, you, your spouse and children, if any, will be required to pay a special processing fee per person which will be in addition to a visa processing fee of \$400 per person. Further details will be mailed to successful applicants.

Is there a minimum age for applicants to apply for the Diversity Immigrant Visa Program?

There is no minimum age to apply for the program, but the requirement of a high school education or work experience effectively disqualified most persons who are under the age of 18.

Can you apply for the Diversity Immigrant Visa Program if I am in the United States?

Yes, an applicant who is in the United States may apply for registration, provided he or she is eligible for the Program.

I have attempted, unsuccessfully, to log onto the website to register for the Diversity Immigrant Visa Program? What can I do?

It will only be possible to log onto the website during the registration period.

Do you think it will help my chances of being successful in applying for the Diversity Immigrant Visa Program if I hire an attorney or consultant?

The decision to hire an attorney or consultant in a visa matter is entirely up to the applicant. The procedures for entering the lottery can be completed without assistance by following simple instructions. However, if applicants prefer to use outside assistance, that is their choice. There are many legitimate attorneys and immigration consultants assisting applicants for reasonable fees, or in some cases, no fee. Unfortunately, there are other persons who are charging exorbitant rates and making unrealistic claims. The selection of winners in the lottery is made at random, using a computer. No outside service can improve an applicant's chances of being selected, and nobody can guarantee an entry will win. Any service that claims it can improve an applicant's odds would be promising something it cannot deliver.

I have applied for an immigrant visa in the immediate relative/family/employment based preference category; can I also apply to register for the Diversity Immigrant Visa Program?

Yes. Your registration for immigration in another immigrant visa category does not prohibit you from applying to register for this Program.

What can I do if I believe a company has taken money from me under false pretenses?

If you believe that you have a complaint against a company that has been advertising its service for the visa lottery, you should contact your local consumer affairs office or the Federal Trade Commission in the United States. The address of the Federal Trade Commission is Consumer Response Center, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, DC 20580; phone number: 202 382 4357. There is also a complaint form on the internet at www.ftc.gov.

I have applied to register for the Diversity Immigrant Visa Program, when will I know if I have been selected?

Successful applicants are usually notified of their registration between spring and summer, from the Kentucky Consular Center, Lexington, Kentucky. If you have not been notified of your registration, then you were not selected for the Program. The Consulate will not have a list of those who have been registered.

I am a winner and have been invited to apply for a Diversity immigrant visa. Why am I being told to apply early, when I have until September 30 in which to do so?

Being selected a winner does not guarantee that a visa will be issued to you. A much larger pool of winners is selected than the 50, 000 visas available each year. Applicants, who delay applying for the visa on receiving notification of their

registration, may find that there are unable to proceed with their application, as there are no visa numbers available for their use. In addition, in order to actively receive a visa, applicants selected must meet all eligibility requirements under U.S. law.

If I apply for a Diversity immigrant visa before September 30 and my application is denied under Section 221(g) of the Immigration and Nationality Act, will I be guaranteed a visa number when I am ready to proceed?

No, even if you have applied for the visa, unless the visa is issued to you, no guarantees can be offered that a visa number will be available for your use when you are ready to proceed with your application.

I was selected for last year's Diversity Immigrant Visa Program, but didn't get my visa by September 30, can I still go?

No. As you did not pursue your application, you can no longer benefit from your registration for the Program. You had only until September 30 in which to be issued an immigrant visa.

Will I be able to download and save the E-DV entry form to a Microsoft word program (or other suitable program) and then fill it out?

No, you will not be able to save the form into another program for completion and submission later. The E-DV Entry Form is a Web form only. This makes it more "universal" than a proprietary word processor format. Additionally, it does require that the information be filled in and submitted while on-line.

Can I save the form on-line so that I can fill out part and then come back later and complete the remainder?

No, this cannot be done. The E-DV Entry Form is designed to be completed and submitted at one time. However, because the form is in two parts, and because of possible network interruptions and delays, the E-DV system is designed to handle up to sixty (60) minutes between downloading of the form and when the entry is received at the E-DV web site after being submitted online. If more than sixty minutes elapses, and the entry has not been electronically received, the information received so far is discarded. This is done so that there is no possibility that a full entry could accidentally be interpreted as a duplicate of a previous partial entry. For example, suppose an applicant with a wife and child sends a filled in E-DV Entry Form Part One and then receives Form Part Two, but there is a delay before sending Part Two because of trouble finding the file which holds the child's photograph. If the filled in Form Part Two is sent by the applicant and received by the E-DV website within sixty (60) minutes then there is no problem, but if the Form Part Two is received after sixty (60) minutes has elapsed then the applicant will be informed that

they need to start over for the entire entry. The DV instructions explain clearly and completely what information needs to be gathered to fill in the form. This way you can be fully prepared, making sure you have all of the information needed, before you start to complete the form on-line.

If the submitted digital images do not conform to the specifications, the procedures state that the system will automatically reject the E-DV Entry form and notify the sender. Does this mean I will be able to re-submit my entry?

Yes, the entry can be resubmitted. Since the entry was automatically rejected it was not actually considered as submitted to the E-DV website. It does not count as a submitted E-DV entry, and no confirmation notice of receipt is sent. If there are problems with the digital photograph sent because it does not conform to the requirements, it is automatically rejected by the E-DV website. However, the amount of time it takes the rejection message to reach the sender is unpredictable due to the nature of the Internet. If the problems can be fixed by the applicant, and the Form Part One or Two re-sent within sixty (60) minutes then there is no problem. Otherwise the submission process will have to be started over. An applicant can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent.

Will the electronic confirmation notice that the completed E-DV entry form has been received through the online system be sent immediately after submission?

The response from the E-DV website which contains confirmation of the receipt of an acceptable E-DV Entry Form is sent by the E-DV website immediately, but how long it takes the response to reach the sender is unpredictable due to the nature of the Internet. If many minutes have elapsed since pressing the 'Submit' button there is no harm in pressing the 'Submit' button a second time. The E-DV system will not be confused by a situation where the 'Submit' button is hit a second time because no confirmation response has been received. An applicant can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent.

Immigrant Visa Processing and Interview

Can I transmit citizenship to my spouse?

No, a United States citizen cannot transmit citizenship to a spouse. If your spouse wishes to relocate with you to the United States, he/she will require an immigrant visa. A Lawful Permanent Resident who is married to a U.S. citizen may apply to become a naturalized U.S. citizen after three years residence in the United States.

Questions concerning this process should be addressed to the [United States Citizenship and Immigration Services \(USCIS\) in the United States](#).

Which is quicker to process, an immigrant or a fiancé(e) visa?

The time it takes to process a visa application varies with each individual case. However, in general, a fiancé(e) visa application may be slightly quicker than an application for an immigrant visa, as immigrant visa petitions are taking longer to be processed and approved by the USCIS in the United States. If the time factor is of importance, you should contact the USCIS where you will file the petition to ascertain processing times before deciding on applying for a fiancé(e) or immigrant visa.

My partner/common-law spouse is a U.S. citizen. Can he/she sponsor me for immigration?

U.S. immigration law does not recognize common-law marriages. A U.S. citizen cannot file an immigrant visa petition for a partner in the immediate relative category as the spouse of U.S. citizen, or a fiancé (e) visa petition. You will be required to apply for an immigrant visa either in one of the employment based preference categories or through the [Diversity Visa Program](#), commonly known as the lottery.

My fiancé(e) and I will not marry within 90 days of our arrival. Can he/she still apply for a fiancé(e) visa?

No. If the marriage will not take place within 90 days of the fiancé(e) visa applicant's arrival in the United States, it will not be possible to process an application for a fiancé(e) visa. An immigrant visa will be required. Visa free travel under the Visa Waiver Program or a nonimmigrant visitor or work visa is not appropriate.

Can we apply for the fiancé(e) visa while my fiancé(e) is in the United States?

No. An applicant for a fiancé(e) visa must apply for the fiancé(e) at a U.S. Embassy or Consulate outside the U.S. as he or she is required to enter the United States on the visa.

If I cannot sponsor my fiancé(e) how can he/reside with me in the United States?

Your fiancé(e) will be required to qualify for a visa either in one of the [employment based preference categories](#), or through the [Diversity Visa Program](#), commonly known as the lottery.

We only wish to travel to the United States to marry. We will return to the United Kingdom after marriage. Do we still need a fiancé(e) visa?

A person traveling to the United States to marry a U.S. citizen with the intention of returning to his/her place of permanent residence abroad may apply for a [visitor \(B-2\) visa](#), or if eligible, travel visa free under the [Visa Waiver Program](#). Evidence of a residence abroad to which the B-2 visa holder or visa free traveler intends returning should be carried for presentation to an immigration inspector at the port of entry.

Can I enter the United States on a fiancé(e) visa, marry and then leave the United States for my honeymoon?

On marriage, you must contact the U.S. Citizenship and Immigration Services for further information. If you leave the United States without first obtaining permission from them to re-enter the country, you will be required to apply for an immigrant visa in order to return. This could delay your return by three to six months.

Can I travel to the United States while my application for an immigrant or fiancé(e) visa is being processed?

If you intend taking up permanent residence in the U.S., you are required to wait until the immigrant or fiancé(e) visa is issued. You cannot reside in the U.S. on a tourist visa or visa free under the Visa Waiver Program while waiting the issuance of an immigrant or fiancé (e) visa. However, if you wish to make a temporary visit at the end of which you will return to your permanent residence outside the United States, you may travel on a [tourist \(B-2\) visa](#), or visa free under the [Visa Waiver Program](#), if qualified.

If applying for a B-2 visa, you are required to furnish evidence of your residence outside the United States to which you intend returning at the end of your temporary stay. Although a pending immigrant or fiancé(e) visa application is not necessarily conclusive evidence of intent to abandon a German residence, it is a factor considered by consular officers reviewing a visa application. If you are unable to convince the consular officer reviewing the application that you do not intend abandoning your residence, you will not be issued a visa.

When traveling to the U.S. either with a visa or visa free under the Visa Waiver Program, you should be sure to carry with you for presentation to an immigration inspector evidence of your residence outside the U.S. If the immigration inspector is not convinced that you are a bona fide visitor for pleasure, you will be denied entry into the United States.

Why do you require police certificates for an immigrant visa application? I have not been in trouble with the law.

The term police certificate means a statement which will advise the consular officer whether or not any criminal convictions are held in your name.

Where can I find information about obtaining police certificates?

The information is on the [Department of State's website](#). Find the country and look under "Police Record". If it is your place of birth, or current residence you will require a police certificate if you have resided there for at least six months since your sixteenth birthday. The period of residence is twelve months, for any other country.

How long is a police certificate valid for?

With the exception of the German police certificate which is considered valid for 12 months from the date of issuance, a police certificate is valid indefinitely, provided you do not return to the country even on a visit, if it's your country of birth or current residence. The period is twelve months for any other country.

I reside outside of Germany; how do I obtain a German police certificate?

If you reside outside Germany you should contact the [Bundeszentralregister](#).

If I obtain the police certificate, am I still required to obtain court records?

Yes. If you have a conviction, you will be required to obtain the court record relating to all of the charges against you.

How do I obtain my court records for Germany?

Court records are obtained from the court(s) at which the individual was tried. Such court records must show the nature of the offense(s) committed, the section(s) of law contravened and the actual penalty imposed.

Do I require court records for the United States?

If you have a conviction in the United States you will be required to obtain court records relating to all of the charges against you. You should contact the court where you were convicted. If you do not know the address of the court, the information is available from the internet at: www.refdesk.com. If you are unable to obtain the court record, the Embassy will obtain them on your behalf.

I have a conviction from a country other than Germany or the United States.

How do I obtain the court record?

Contact the Embassy of the country in question; they will advise you further

I'm in the U.S. Forces. My spouse is applying for an immigrant visa. Is she required to furnish police certificates to cover her period of residence in every country where I have served, or will you accept a letter from my commander/U.S. Forces?

Your spouse will be required to obtain police certificates, even if she resided there as your dependent

I have received a letter saying that my child is no longer eligible to derive status from my immigrant visa application as s/he is over the age of 21. My child was under the age of 21 when the petition was filed, so why is s/he no longer eligible to apply for a visa?

Your son or daughter is eligible to derive status from the immigrant visa petition filed on your behalf only while s/he is under the age of 21, regardless of her/his age at the time the immigrant visa petition was filed. As he/she was able to apply for a visa before her 21st birthday, s/he is no longer entitled to derivative status and her/his application has been canceled.

An immigrant visa petition has been filed on my behalf. I now have a child. Can s/he be added to my application?

If your baby's mother or father is an American citizen, the baby could have [claim to U.S. citizenship](#). If your baby has no claim to U.S. citizenship, it may be possible for the child to derive status from the immigrant visa petition filed on your behalf, or for your spouse to file an immigrant visa petition for him/her. You should notify the Immigrant Visa Section in writing of the birth of your child. They will advise you further. The address you require is U.S. Consulate General, Immigrant Visa Section, Giessener Strasse 30, 60435 Frankfurt

Since being issued with an immigrant visa I have had a baby. Can my baby immigrate with me?

If your baby's mother or father is an American citizen, the baby could have [claim to U.S. citizenship](#). A child born after the issuance of an immigrant visa will not need a visa to accompany the parent provided they both travel within the period of validity of the visa. A copy of the child's long-form birth certificate showing the name of the parent must be carried for presentation to an immigration inspector at the port of entry, together with a valid travel document for the child.

I'm filing an immigrant visa petition on behalf of my son or daughter. I understand that in order to do so I'm required to reside in the U.S.

You are not required to reside in the U.S in order to file an immigrant visa petition. However, in addition to filing the petition, form I-130, you are required to file an I-864. In order to file an I-864 you must be either reside in the U.S. or intend to resume permanent residence in the U.S. at the time your son or daughter immigrates to the U.S.

My child is not immigrating with me do I still have to list his or her details on the biographic data form OF-230-I?

You are required to enter the details of every child under the age of 21, including a stepchild from a marriage that was entered into while the child was under the age of 18.

I'm divorced and applying for an immigrant visa. Do I require permission from my ex spouse to take my child out of the country?

If you are divorced and you are applying for a visa for your child(ren) by a previous marriage, you will be required to present on the day of your visa interview proof that you have been awarded custody of the child(ren) by the court and that permission has been given for the child(ren) to be taken out of Germany.

How long can I expect to be at the Consulate when I come for my immigrant visa interview?

Appointments are scheduled between 7.30 am and 12.30 pm. You should allow approximately three hours for the visa interview.

Does my child need to attend the immigrant visa interview?

All applicants are required to attend the Consulate in person for a formal visa interview with a U.S. consular officer.

My spouse, who is a U.S. citizen, has filed the immigrant visa petition on my behalf. Is he/she required to attend the immigrant visa interview with me?

No. There is no requirement that the U.S. citizen attend the immigrant visa interview. There is also no requirement that your spouse remains in Germany until you are issued with your immigrant visa; he or she may travel to the United States ahead of you.

Will I get my immigrant visa on the day of the interview?

Visa processing takes about 10 workdays if all required documents are presented. The visa will be returned to you by German registered mail. On the day of the visa interview you will be required to purchase postage stamps for an envelope for the return of your documents once visa processing has been completed.

What if my immigrant visa is refused?

If your visa is refused under the provisions of Section 221(g) of the Immigration and Nationality Act for lack of documentation, you will have twelve months from the date of refusal in which to present the missing documents **and** enter the United States on the immigrant visa.

What if I do not present the documentation to overcome the immigrant visa refusal and enter the United States within the twelve months?

You will be required to reapply for an immigrant visa paying new visa application and issuance fees, and medical examination fees.

How long will I have to travel to the U.S. once the immigrant visa is issued?

Immigrant and fiancé visas are normally valid for travel to the United States for six months from the date on which they are issued. K visa holders are issued a visa valid for travel for two years and for V visa holders the validity period is ten years. Please refer to the individual sections for further information.

What if I cannot travel during the validity period of the immigrant visa?

You should return the unused visa to the Immigrant Visa Section with a letter explaining why you were unable to travel. Depending on the reasons for you not using the visa, it may be possible to re-issue you with a new visa on payment of new visa processing fees.

I sent in my completed forms to the Immigrant Visa Unit, when will I be scheduled an appointment for my interview?

Applicants registered in the [immediate relative](#) category will be contacted within 4 - 8 weeks of the Immigrant Visa Section completing action on their application with a date for the formal visa interview.

Those registered for immigration in the [family based](#) or [employment based preference categories](#) are subject to the annual numerical limitation on immigrants admitted into the United States. In such cases, the appointment for the formal visa interview is generally scheduled once a visa number becoming available for the applicant's use. Check the [Visa Bulletin](#) for the latest priority dates.

The National Visa Center (NVC) informed me that my file had been sent to the Consulate in Frankfurt. When can I expect to be scheduled for a visa interview?

There is a delay of at least 12 weeks between the date the file is dispatched by NVC and the date the Immigrant Visa Section receives the file and completes action on the case. The Immigrant Visa Section will be in contact with the applicant once they are able to schedule the visa interview.

K Visa – Spouses of U.S. citizens and their children

What is the difference between the KI visa for fiancé(e)s and the K3 visa for spouses?

The KI visa is issued to the fiancé(e) of a U.S. citizen who will marry in the United States and apply to take up permanent residence after marriage. The K-3 and K-4 visa is issued to the spouse of a U.S. citizen who is the beneficiary of an immediate relative petition and his or her child(ren) under the age of 21. The K-3 and K-4 visa allows the holder to travel to the United States to reside while his or her immigrant visa petition is being processed by the U.S. Citizenship and Immigration Services and to apply for an immigrant visa once the petition has been approved.

If the immigrant visa interview has been scheduled, does this mean I cannot apply for the K-3 or K-4 visa?

Yes. If you have been scheduled for an immigrant visa interview, or indeed if the Embassy or Consulate has received the approved petition, but not yet scheduled the immigrant visa interview, you are not eligible to apply for a K-3 or K-4 visa; you are required to pursue your application for an immigrant visa.

What if I've been refused an immigrant visa; can I apply for a K-3 or K-4 visa?

No. If you have applied for an immigrant visa and have been refused, you are not eligible to apply for the K visa.

What if I have been refused an immigrant visa, but my child has yet to apply for the visa. Can he or she apply for the K-4 visa?

No. If you have been refused an immigrant visa, your child is, unfortunately, not eligible to apply for the K-4 visa, even if he or she has yet to apply for an immigrant visa.

Can I apply for a K-3 or K-4 visa if I no longer wish to continue with my application for an immigrant visa?

A K-3 or K-4 visa entitles the holder to reside in the United States only until he or she becomes eligible to apply for an immigrant visa. If you do not wish to pursue an application for an immigrant visa, you will not qualify for the K visa.

If the marriage took place in a country where there is no U.S. diplomatic presence where can I apply for the K-3 or K-4 visa?

The application will be processed by the U.S. Embassy or Consulate designated by the Department of State to accept immigrant visa processing for that particular country. You should visit the Department of State's website at [Welcome to Travel.State.Gov](http://Welcome.to.Travel.State.Gov) for further information.

Can I apply for a K-3 or K-4 visa while in the United States?

No. You are required to return to the country where you were married to apply for the visa. If the marriage ceremony took place in the United States, you are required to apply for the visa at the Embassy or Consulate in your country of permanent or last residence.

If my child is issued a K-4 visa, what happens if he or she turns 21 before an immigrant visa is issued?

Holders of K-4 visas will be admitted for two years or until the day before their twenty-first birthday, whichever is shorter. The K-4 visa holder's status will expire if he or she turns 21.

If my child is issued a K-4 visa , what happens if he or she marries before the immigrant visa is issued?

Holders of K-4 visas will be admitted for two years or until the day before their twenty-first birthday, whichever is shorter. The K-4 visa holder's status will expire if he or she turns 21 or gets married.

What happens to a K-3 or K-4 visa holder when the immigrant visa petition, Form I-130, is approved by the United States Citizenship and Immigration Services?

You will become eligible to apply for an immigrant visa.

How does the holder of a K-3 or K-4 visa apply for the immigrant visa?

If you are physically present in the United States you may apply for an [adjustment of status](#) with the USCIS. If this is your intention, you should state this fact in answer to Q.21 of form I-130. If the I-130 has already been filed and you advised the USCIS that you would apply for the visa abroad, your spouse or parent should notify the USCIS that you will apply for an adjustment of status.

If you will apply for the immigrant visa at a U.S. Embassy or Consulate named on the immigrant visa petition, form I-130, the approved petition will be forwarded to the National Visa Center in New Hampshire which will send you the packet of forms you are required to complete in connection with your application for an immigrant visa.

Lawful Permanent Residents

My spouse was granted conditional resident status. What do we do to have the status removed?

You and your spouse are required to file a petition, form [I-751](#), with the United States Citizenship and Immigration Services (USCIS) to have the conditional resident status removed. The petition must be filed 90 days before the second anniversary of your husband/wife being admitted into the United States on an immigrant visa, or adjustment of status, if he or she entered on a fiancé(e) visa.

I was granted conditional resident status, but never filed to have the status removed. I've been outside the United States for longer than 12 months, how can I return?

Conditional residents of the United States who failed to file an application to have their conditional resident status removed are required to re-qualify for immigrant status by having their U.S. citizen or Lawful Permanent Resident relative file an immigrant visa petition, form I-130, on their behalf. If your relative resides in Frankfurt, he/she should contact the [U.S. Citizenship and Immigration Services](#).

[USCIS in Frankfurt](#); if resident in the United States, he/she should contact his/her [local USCIS office](#) for further information.

How long can I remain outside the United States with my Permanent Resident Card (green card)?

You will maintain status provided you do not remain outside the United States for longer than 364 days and you maintain a bona fide domicile in the United States. Failure to return to the United States within 364 days may jeopardize permanent resident status. If you are in possession of a valid re-entry permit issued by the USCIS, you must return to the United States before the permit expires. You should be aware, however, that the final determination on your eligibility for admission into the United States rests with the USCIS at the port of entry. If you have been outside the United States for less than twelve months and you require further information, you should contact the [U.S. Citizenship and Immigration Services, USCIS in Frankfurt](#)

What if I have been outside the United States for longer than 364 days?

If you are not in possession of a valid re-entry permit, or your re-entry permit has expired, you will require a new immigrant visa to re-enter the United States to resume your residence there.

My re-entry permit is due to expire; what do I do?

You should contact the [U.S. Citizenship and Immigration Services, USCIS in Frankfurt](#) for further information.

I've lost my Permanent Resident Card (green card); what do I do?

If you have been outside the United States for less than twelve months, you should contact the [U.S. Citizenship and Immigration Services, USCIS in Frankfurt](#). If you have been outside for longer than twelve months and you wish to return to resume permanent residence you will require a new immigrant visa.

I'm a Lawful Permanent Resident of the United States. I've recently given birth to a child. What type of visa does he/she require to return with me to the United States?

You will not require a visa for your child if: he/she is under two years of age; it is his/her first entry into the United States since birth; and he/she is being accompanied by the parent who is applying for readmission as a permanent resident upon the parent's first return to the United States after the child's birth. Your child will require his or her own passport, if not included on the accompanying parent's passport, and his/her long form birth certificate, listing both parents' names. In the event that one parent is a citizen of the United States, the foregoing information should be disregarded and an application must be made for a U.S. passport.

I have a green card, but I'm only going back to the United States for a short visit. What do I do?

If you were a Lawful Permanent Resident (green card holder) and you have been outside the United States for longer than twelve months, or two years, if holding a re-entry permit, you will be required to either apply for a visitor visa, or if eligible, travel visa free under the Visa Waiver Program.

I have a Permanent Resident Card (green card) and I no longer wish to live in the United States; what do I do?

If you no longer wish to reside in the United States you may formally abandon your status by completing the form I-407.

Miscellaneous

Will I be eligible to work on entering the United States on an immigrant visa?

On entering the United States on an immigrant visa you will require no further authorization from the United States Citizenship and Immigration Services (USCIS) in order to take up employment.

How do I get a Social Security number?

By law, each immigrant or refugee admitted to the United States must obtain a Social Security number. Social Security numbers are required to work in the U.S., to open a bank account, to pay taxes, and for many other purposes. An application for a social security number is usually combined with your Immigrant Visa Application or you may contact the local Social Security Office in the area where the immigrant will reside after their arrival in the United States. For further information please visit their website at www.ssa.gov

How do I become an American citizen?

An immigrant can become an American citizen by naturalization by living in the United States for a specified period, usually five years (three years if married to a citizen) and passing a naturalization examination. However, there is no requirement that an immigrant become a citizen and s/he is free to live in the United States as long as s/he wishes regardless of his citizenship, so long as s/he abides by the laws of the land, which are applicable to citizens and aliens alike.

V Visas Spouses and Children of Lawful Permanent Residents

Can I assume that anyone registered for immigration in the family based second preference category who has been waiting at least three years qualifies for a V visa?

No. The applicant must have a priority date (date on which the petition is filed with the United States Citizenship and Immigration Services (USCIS) which is not current and at least three years old, and the applicant must not have been scheduled for an immigrant visa.

Does this mean if I've been scheduled for an immigrant visa interview I cannot apply for a V visa?

Yes. If your priority date is current, that it to say a visa number is already available for your use and you have been scheduled for an immigrant visa interview, you are required to pursue your immigrant visa application. You cannot apply for a V visa.

Can I apply for a V visa if I have been refused an immigrant visa?

No. If you have applied for an immigrant visa and have been refused, you are not eligible to apply for the V visa.

Can I apply for a V visa if I no longer wish to continue with my application for an immigrant visa?

A V visa entitles the holder to reside in the United States only until he or she becomes eligible to apply for an immigrant visa. If you do not wish to pursue an application for an immigrant visa, you will not qualify for the V visa.

Can I apply for the V visa at another Embassy or Consulate?

The Embassy or Consulate would have to agree to accept your application for processing. If you have already received notification of your eligibility to apply for the V visa and wish to process your application at a post other than the one named, you should contact the Consulate for further information.

Can I apply for the visa while in the United States?

You may apply to adjust your status to the V visa category with the USCIS if you are in the United States. If you leave the United States, however, you will be required to apply to have your passport endorsed with a V visa at a U.S. Embassy or Consulate outside the United States in order to return. You should contact the Consulate before departing the U.S. for further information.

For how long is the V visa valid for travel to the United States?

In general the visa will be issued for multiple entries for 10 years. However, as a child is entitled to F2A status only while under the age of 21, in such cases the visa will be issued to expire on the child's 21st birthday.

Can the holder of a V visa stay in the U.S. for ten years on the visa?

U.S. immigration will admit the holder of a V visa for an initial period of 2 years. After two years, the V visa holder may apply for an extension of stay, if a visa number is not yet available for his or her use, or an immigrant visa, if it is.

Will the holder of a V visa be required to leave the United States if he turns 21 before the immigrant visa is issued?

Your child is only eligible for V visa status while under the age of 21. If he or she turns 21 before the immigrant visa is issued, he/she will lose his or her entitlement to V visa status. If your child is in the United States, you must contact the Immigration and Naturalization Service for further information.

What happens to a V visa holder if he or she marries before being issued an immigrant visa?

Your child is only entitled to family based second preference status while under the age of 21 and single. If he or she marries before the immigrant visa is issued, he or she will lose his or her entitlement to V visa status and will no longer be eligible for an immigrant visa in the family based second preference category.

Can I work on a V visa?

Holders of V visas may apply for employment authorization once in the United States. You should contact the Immigration and Naturalization Service on your arrival in the United States for further information.

What happens to a V visa holder when his priority date of the immigrant visa petition becomes current?

You will become eligible to apply for an immigrant visa.

How does a V visa holder apply for the immigrant visa?

When your priority date becomes current, you will be sent a packet of forms to apply for the immigrant visa. If you are residing in the U.S. at the time, you may apply for an adjustment of status with the USCIS, or you may process your immigrant visa application through the Embassy or Consulate named on the immigrant visa petition. If you are in the United Kingdom, or your last place of residence before traveling to the United States was the United Kingdom, your application will be processed by this Embassy.